North Carolina Wireless 911 Board MINUTES March 23, 2007

Members Present	Staff Present	<u>Guest</u>
Wayne Bowers (NCLM)	Ron Adams (ITS)	Candace Allred (Verizon Business)
Robert Cherry (Tarboro Police Chief)	Richard Bradford (DOJ)	Jerry Boggs (NCNENA/Catawba Co)
Bill Craigle (Alltel)	Marsha Tapler (ITS)	Valerie Carter (ITS)
Christi Derreberry (Sprint/Nextel)	Richard Taylor (ITS)	Erin Ford (Pictometry)
Joe Durham (NCACC)		Belinda Gurkins (Embarq)
David Dodd (NCAPCO)		William Hightower (AT&T))
Anand Gandhi (VZW)		James McCleod (Embarq)
Slayton Stewart (Carolina West Wireless)		Steven Newton (Orange Co)
Steve Stoneman (ITS)		Steve Skinner (Cingular/AT&T)
		Susan Waddell (NCAPCO/Gaston Co)
<u>Members Absent</u>	Staff Absent	
George Bakolia (NC CIO)		
Dave Corn (Yadkin Valley Telephone)		
Trey Greene (Cingular)		

Chair's Welcoming Remarks:

Chairman Stoneman welcomed everyone and called the meeting to order at 10:00. He welcomed Marsha Tapler, who has taken Leslie Tripp's position as staff accountant. He also announced the resignation of Betty Dobson from the Board, noting that she will definitely be missed. He added that a replacement for her will probably not be forthcoming until the end of the current legislative session, and Richard Taylor acknowledged that he is 99.999% certain that will be the case.

Ethics Awareness/Conflict of Interest Statement:

Chairman Stoneman read the Conflict Of Interest Statement and asked if anyone wished to note any potential conflicts. Slayton Stewart stated he would abstain from voting on agenda item five since it concerned his company. Anand Gandhi indicated a conflict or appearance of conflict for agenda items four and five.

Richard Taylor added that while on the topic of ethics, the deadline for Board members to file their economic interest statements was last week, indicating he assumed everyone had met that deadline. He mentioned he had completed ethics training about two weeks ago, that the training was going to be offered across the state, and that staff would be encouraging Board members to attend one of those meetings. He said that economic interests were covered in detail in the class, so he suspects if someone were tardy in submitting the economic interest statement, that person can probably expect to be directly contacted by the Board of Ethics in the near future.

Joe Durham asked if attendance was mandatory, and Richard Bradford said that it was. Mr. Bradford noted that training for Board members will be different from the training Richard Taylor received, and that a programmed approach from the Board of Ethics was still in development.

Approval of minutes

Chairman Stoneman asked if anyone wished to make changes or additions to the minutes of the January 26, 2007 Wireless Board meeting. Richard Taylor noted that two minor changes had been made since copies were distributed to the Board, as suggested by Wayne Bowers. Mr. Bowers moved the minutes be approved as modified, Joe Durham seconded, and the motion carried.

Follow Up to Refund Requests

a) Richard Bradford reported that he had mailed the letter to Cingular (the new AT&T) reviewed at the last Board meeting, resulting in a meeting among himself, Richard Taylor, and three AT&T representatives. Mr. Bradford reminded everyone that the issue revolved around Cingular failing to pay prepaid wireless fees post-October 2005, recognizing that error, then bringing that account up to date, less the amount remitted by AT&T Wireless pre-October 2005 (Cingular Wireless had acquired AT&T Wireless in a 2005 merger). He introduced Steve Skinner, a Cingular (now AT&T) representative who participated in the meeting referenced, to offer a brief presentation on behalf of the new AT&T.

Mr. Skinner opened his presentation by complimenting the North Carolina Wireless 911 Board as being one of the best, based upon his having worked with similar Boards across the nation. He expressed appreciation for being allowed to make this presentation to the Board, and then opened his presentation by stating that Cingular's belief is that prior to October 2005, pre-paid CMRS providers were not obligated to pay the wireless 911 fee.

Mr. Skinner noted that in 1998, nobody anticipated the explosive growth of prepaid wireless service. Now, 10%-15% of the wireless market is prepaid. The 1998 legislation used such terms regarding who should pay the fee as "billing address in North

Carolina", instructed carriers to "list the service charge as a separate line item on the bill", and listed the fee as "eighty cents per month". Mr. Skinner observed that prepaid subscribers rarely buy the service by the month; they buy a dollar amount and put in on account. He added that neither the 1998 nor 2001 legislation directly addressed this, and that no mechanism was in place to tell prepaid providers how much money to collect from a customer or how much to remit to the state. He noted that one of the things discussed at the December Board meeting was that some Board members assumed that prepaid providers were remitting using the ARPU (Average Revenue Per Unit or User) or Tennessee model, where you "take your gross revenues and divide by the average revenue per customer of \$50.00 and that gives you an equivalent". Mr. Skinner said that he thinks it is important to know that terminology did not appear in the statute until October of 2005; it was in Indiana, it was in Tennessee, and in other places, but it was not in the North Carolina legislation.

Mr. Skinner observed that the clear intent of the 2005 legislation was to clarify the "old situation" because something new had come up: prepaid was exploding. The new language sought to put into place a lawful means by which prepaid providers could collect the fee from customers. He pointed out that providers cannot debit a customer's account for a government fee that is not clearly imposed on them. Mr. Skinner noted that Cingular had done so before, in other States, had been sued, and had paid treble damages, so they are very cautious now to make sure that they don't collect fees unless they have a clear mandate to do so.

Mr. Skinner said that Cingular supported the 2005 legislation very strongly, and has now implemented those fees, collects them from its customers, and remits them to the Wireless Board. He noted that he wanted to make clear that in paying the disputed remittances, AT&T Wireless did not debit any customer's account. Neither were any fees collected at point of sale. Any wireless 911 fees paid by AT&T Wireless for prepaid subscriptions were simply taken off of the bottom line. He said the way AT&T Wireless calculated the fee was to pay the eighty cent surcharge on every phone that had a North Carolina area code. Mr. Skinner added that he has also found that they did not deduct the 1% administrative fee.

For all of the reasons cited in his presentation, Mr. Skinner concluded that it was appropriate for Cingular to use the offset for the AT&T Wireless remittances in its payment of prepaid 911 service fees to the Wireless Board for the period of October 2005 through roughly June 2006. He offered to field any questions, but none were asked. Chairman Stoneman thanked Mr. Skinner for his presentation, and then asked Richard Taylor what the staff recommendation was regarding this issue. Richard summarized that Cingular calculated it owed \$553,867.00 for that period, it deducted an offset for the AT&T Wireless payments pre-October 2005 of \$149,950.00, yielding a net payment of \$403,917.00, and that staff recommendation is to accept that payment.

Wayne Bowers asked if this is consistent with how we are handling other prepaid providers. Richard Taylor replied that the only other prepaid provider we have dealt with is TracFone, and that the decision made there was predominantly due to technological limitations rather than statutory construction, although that was certainly part of the discussion. Richard Bradford observed that some of the issues and arguments were essentially the same, based on statutory construction, albeit perhaps the intention of the

legislation was to collect the fee from each person that subscribes and uses a cell phone. He said that Mr. Skinner presented Cingular's experience and litigation exposure relating to collecting fees when a statute did not provide express authorization to do so, and that risk exposure is one of the reasons he supports the staff recommendation.

Wayne Bowers moved that the Board approve the staff recommendation, Joe Durham seconded, and the motion carried without objection.

b) Chairman Stoneman asked Richard Taylor to address the Virgin Mobile letter. Richard reviewed the Board's decision at the last meeting to ask Virgin Mobile to provide more detail about its request for a refund of their prepaid fees. Their reply didn't offer a lot of information, but their argument essentially centered on the use of zip codes as a method of determining customer location. They had a different pricing plan during that time period that did not include a provision for deducting a surcharge. Richard stated that he was not comfortable with the amount of information Virgin Mobile had provided thus far, and his recommendation was to invite them to present to the Board, as have TracFone and Cingular, offering the reasoning behind their request. That would also provide Board members the opportunity to ask direct questions. Chairman Stoneman asked if that was agreeable to everyone, and all indicated it was, so Mr. Taylor will be issuing that invitation.

Follow up to Carolina West Wireless cost recovery request

Richard Bradford reminded everyone of Carolina West Wireless' request for cost recovery presented at the last Board meeting. That request centered on paying for Phase II capable handsets Carolina West Wireless had purchased and distributed to its customers free of charge in order to meet an FCC requirement for Phase II capable handset penetration within a carrier's customer base. At that time Mr. Bradford had indicated that he would want to review FCC Tier III rulings and other Tier III carriers' responses to the FCC mandate before deciding whether or not he felt Carolina West's argument had merit. He found that an FCC report in April 2005 identified 390 Tier III carriers. Of those, 184 had requested extensions on the deadline to comply. 173 were granted. Since that time, there have been a number of other requests, Carolina West's among them, and Carolina West did, indeed, receive one extension. Some carriers have been able to comply, some have not. Some have been sanctioned, some have not. Richard said that he thinks this is a fact based issue for each Tier III carrier.

After reviewing these documents several times, Mr. Bradford said that while he does empathize with the situation presented, he doesn't support funding the entire cost of the handsets; he doesn't find support for that in the statute or in the FCC ruling.

Chairman Stoneman asked if staff had a recommendation, and Richard Taylor replied that staff recommended reimbursement of the cost of the GPS chips in the handsets. Carolina West Wireless had requested reimbursement for 3135 handsets at \$78.00 each for a total of \$244,530; staff recommends approval of reimbursement for the same number of handset GPS chips at \$6.00 each for a total of \$18,810. Chairman Stoneman observed this was consistent with what has been done for other carriers, and Mr. Taylor concurred. Robert Cherry made a motion that the Board accept the staff recommendation, Joe Durham seconded, and the motion carried.

Fiscal procedural changes to CMRS cost recovery

Richard Taylor explained that due to recent scrutiny of the statutory language changes made in the 2005 legislation, staff has implemented new accounting procedures for the CMRS portion of the Wireless Fund. He noted that the procedures implemented with the 1998 legislation established a "silo" type fund for CMRS cost recovery: companies would remit their fees to the Wireless Fund, and the CMRS portion of each provider's remittances would be stored in a separate "silo" for each individual provider within the total CMRS side of the fund. If invoices submitted by a CMRS provider for cost recovery exceeded the amount its "silo", payment was withheld until that provider's balance grew to the point that it would cover the invoice amount. It was as if each CMRS provider had an independent "account" within the cost recovery fund, and could "withdraw" no more money than it had contributed to its "account".

Mr. Taylor explained that the the new accounting procedures follow the concept of one "pool" of money on the CMRS cost recovery side of the Wireless Fund rather than the "silo" concept. Invoices submitted by providers every month can be paid from the "pool", subject to certain limitations. If total claims among CMRS providers in one month exceed the total CMRS fund balance for the month, payments to all would be pro-rated. To illustrate how this works Richard cited the statutory language in § 62A-25(d):

If the total amount of invoices submitted to the Board and approved for payment exceeds the amount in the Wireless Fund in any month, CMRS providers that have invoices approved for payment shall receive a pro rata share of the Wireless Fund, based on the relative amount of their approved invoices available that month, and the balance of the payments will be carried over to the following month or months and shall include interest at a rate equal to the rate earned by the Wireless Fund until all of the approved payments are made.

This approach allows CMRS providers a more timely recovery of their deployment expenses, rather than forcing them to wait until their contributions exceed their expenses, and slows the growth of the total CMRS side of the fund.

Mr. Taylor reported that the current CMRS fund balance of \$21,679,441.32 reflects invoices being held under the old "silo" model in the amount of \$11,798,984.63. He said that based upon the new understanding of the statutory language, those invoices will now be paid rather than held, reducing the CMRS fund balance to less than ten million dollars. He observed that is still a healthy fund balance, and implementing this change allows the Board to do what it was created to do: provide cost recovery to encourage deployment of wireless E911.

Wayne Bowers asked Richard to explain the 125% clause in the statutory language, and Richard said it was originally intended to cover periodic spikes in expenses, such as non-recurring costs. He said it was not intended to allow providers to recover more than their share, only to balance the expenses out more equitably over time. He added that approval of a 125% payment is based upon the cost recovery plan initially submitted to the Wireless Board by the provider prior to any payments being made. That plan enumerates anticipated recurring and non-recurring costs, customer base, anticipated

revenues, etc. Staff refers back to that plan whenever a 125% payment request is made, ensuring that payments do even out over time, i.e. there is a check and balance in place.

Chairman Stoneman asked how frequently these cost recovery plans are updated, and Mr. Taylor replied that we can request updates yearly, but that we typically do not make such requests unless we see some change in claims that could warrant an update. This year he has only requested updates from two companies.

Proposed Legislative Changes

Richard Taylor observed this is a follow up to the legislative subcommittee report presented at the last Board meeting. Subsequent to that report the Board directed Staff to incorporate the subcommittee recommendations which had been agreed upon into draft legislative language for distribution to Board members prior to this meeting. Suggestions for modifications to the draft were to be submitted prior to this meeting so that any adjustments could be made prior to this final presentation. Mr. Taylor said the only information he had received during that comment period centered on the opt-out language. Concerns were raised about allowing carriers that elected to opt-out of cost recovery to reduce the amount they charged customers commensurately, so that language was stricken completely from the draft. After this introduction, Mr. Taylor turned the floor over to Bill Craigle, representing the legislative subcommittee, to present the subcommittee recommendations regarding the proposed language.

- 1) Mr. Craigle introduced the addition to § 62A-24(b) of a provision that CMRS providers annually report to the Wireless Board names and addresses of subscribers who have not paid the service charge. The recommendation from the committee was to accept the language as presented. Chairman Stoneman called a vote, and the recommendation passed.
- 2) Mr. Craigle next introduced the addition of § 62A-24(e), which establishes procedures for CMRS providers or resellers to opt out of cost recovery reimbursement. The subcommittee recommendation was to accept the language as presented. Chairman Stoneman called a vote, and the recommendation passed.
- 3) Mr. Craigle next introduced the addition to § 62A-22.1(3) of language allowing the Wireless Board to make grants and the addition of § 62A-25.1(a-c) establishing grant procedures. The subcommittee recommendation was to accept the language as presented. Chairman Stoneman called a vote, and the recommendation passed.

Chairman Stoneman commended the subcommittee on its work, noting how much more smoothly this process went than the process in 2005. Joe Durham asked, in reference to the Board's efforts a couple of years ago with legislative changes, what is the current status of some of the other things that were discussed then that would require legislative changes? Richard Taylor replied that there are several things going on right now. He referred everyone to the copies of two bills he had emailed to all Board members earlier in the week, noting that the language in those bills was like the language supported by TracFone, one advocating point of sale collection of the wireless fee and the other having to do with sending the whole prepaid collection issue over to

the Joint Public Utility Review Committee. Mr. Taylor added that he is aware that NCTIA is working on a piece of legislation, although they have not yet arrived at a final draft. Some of the points they have shared with Richard are:

- They would like to create a 911 Board, meaning that the Wireless Board would become a 911 Board with increased oversight responsibilities and more members.
- 2. They would like to see a flat rate surcharge for wireline fees equivalent to the wireless rate. That would necessarily be a Statewide collection rather than a Countywide collection. The distribution, however, would be predicated upon PSAPs being made whole based upon their 2006 revenues, with the remainder being distributed on a per capita basis. (Chairman Stoneman observed this would eliminate shared resource problems, and Richard concurred)
- 3. There would be no expanded use of the fund.
- 4. The legislation would capture VoIP revenues for 911.

Mr. Taylor reiterated that this was just a high level overview, and that nothing has been confirmed as yet, but that as soon as the final draft is made available, he will be sure to circulate it to the Board.

Joe Durham asked if it is our intent to wait and respond to that proposed legislation or is a proactive effort needed on the behalf of this Board? Richard replied that until we see a final draft, we really can't respond. Once the final draft is available, maybe a response from the Board would be in order. Joe said that his point was that although we have our legislative effort here, should the Board make any effort to support other legislative changes that need to happen? Chairman Stoneman said this should continue to be an ongoing process, that there will continue to be proposed legislative changes that the Board will need to consider. He cited discussion of the 125% rule as an example. As far as other legislation is concerned, e.g. the NCTIA legislation, they may or may not want to get the Board's endorsement. When and if they seek an endorsement, we can address it at that point in time, and if they don't seek one, we can have a discussion about whether or not we should offer unsolicited input.

Chairman Stoneman asked Joe if he wanted to revisit the proposed changes that were considered before but never made it into final legislation. Joe replied that he personally thought that was a good idea, and also that it might inform new Board members who were not present at the time. Chairman Stoneman suggested we do that, see what is still worth some discussion, and put it on the table as an agenda item. Bill Craigle observed that he also thinks we need to keep the language that NCTIA is working on "circulating with this group until we're up to speed so we don't get surprised, because it would affect this Board as it comes down the road. I think it's a good concept, we just want to make sure we're comfortable with everything that's in that legislation."

Wayne Bowers asked what the next step will be regarding the changes we approved today. Richard Taylor said he will seek out a sponsor to get this introduced, adding he has a couple of ideas about sponsors. Wayne asked Richard to let the Board know the bill number and status when it is introduced, and Richard said he would certainly do that.

<u>Update on Comprehensive Statewide Wireless 911 RFP</u>

Richard Taylor reported that the RFP was released on March 13, but unfortunately that did not become common knowledge until March 19. The deadline date for questions from vendors was March 21, which only gave vendors who did learn about the availability on Monday a day and a half to craft those questions, with a bid opening date of April 9. Richard said those dates have now been modified, with vendor questions due on March 28, and bid opening scheduled for April 23.

Chairman Stoneman asked if the evaluation team was going to be made up of the same committee members who worked on the RFP, and Richard replied that staff will perform the initial evaluations and bring results to the full Board.

OnStar Wireless 911 Routing Initiative

Richard Taylor reported that OnStar is a mobile reseller, and we do receive funding from them. He added that we have had a good working relationship with OnStar, and that they have done a lot of good things for 911. One of the issues we have had with OnStar, however, is that calls go into their call center, and then they are manually routed to PSAPs over administrative lines, not 911 trunks. The call center receives a great deal of data with such calls, but that data cannot presently be transferred directly to the PSAP.

OnStar is beginning a project next week in three States, North Carolina among them, to gain direct access to the native 911 network using the TCS network developed for VoIP. The calls that go into the OnStar call center will be routed through that VoIP network into the native 911 network and on to the PSAP as a 911 call, not an administrative line connection.

The project will be implemented in stages, with the first stage that debuts next week providing the OnStar call center call back number and an OnStar company identifier in the ALI feed, as well as a class of service identifier indicating that it is a VoIP call. The second stage will provide that information and the latitude/longitude coordinates of the caller, and is expected to roll out during the first quarter of 2008. Chairman Stoneman asked if the call gets routed to the OnStar call center first, and then to the PSAP, and Richard confirmed that is the case. The third stage will allow direct PSAP access to the data received from the telematics call, but that roll out time frame has yet to be determined. Richard was very enthusiastic about that prospect, as it will allow PSAPs to receive information such as speed at impact, number of vehicle occupants, and force of impact, as well as whether the seat belts were buckled or the airbag deployed or the vehicle rolled over, etc. That type of information can be very useful to responders en route to the incident to anticipate how they will respond upon arrival.

Richard added that most GM vehicles will be equipped with OnStar by 2008, with first year service provided at purchase and subsequent years by subscription. He also added that the OnStar call center will triage incoming calls to ensure they are truly emergency calls and to screen out duplicate calls about the same incident to avoid overloading the PSAP with redundant calls. Similar call flooding from regular cell phone customers is a big problem, frequently choking PSAPs with redundant calls about the

same incident and potentially preventing other bona-fide 911 calls about different incidents from getting through. Chairman Stoneman reiterated his question about every call having to go through a manual process before going into the 911 network, and Richard confirmed that is the case.

Richard was very pleased to see this reseller of wireless service, which has had difficulty accessing the 911 network, proactively and persistently pursuing the issue to come up with a solution that works. He noted that OnStar will have to contact each North Carolina PSAP to get its permission to send it calls in this manner, and that he would like for this Board to go on record as endorsing OnStar's initiative. If the Board does endorse it, he hopes to post messages on the NCAPCO/NENA web sites alerting NCAPCO/NENA members to this support early next week.

Recommendation regarding City of Lenoir Wireless 911 Fund Balance

Richard Taylor explained that he recently became aware that the City of Lenoir Police Department is no longer a primary PSAP; the Caldwell County PSAP now receives all incoming 911 calls. He heard about it by accident; he was not directly informed of the change. He recently met with representatives from both the County and the City regarding reimbursement of wireless funds from the City, both those that were in City of Lenoir's fund balance and those distributed to it between the time it stopped receiving 911 calls and the time we learned of that change. The fund balance as of June 30, 2006 was \$242,909.42. Distributions between July 1, 2006 and January 31, 2007, amounted to \$56,443.83. Staff recommendation is to request return of the sum of those two, or \$299,353.25. Although Richard told the participants in the meeting that City of Lenoir would need to reimburse those funds to the Board, based upon the agreement the City and County Managers signed prior receiving initial Primary PSAP designation, our policies require the Board to authorize the reimbursement request. That is why he is bringing it before the Board today. Joe Durham asked if we had stopped sending them money, and Richard replied we had.

Chairman Stoneman asked how we would know if this were going on anywhere else, and Richard said we don't. He added that we try to spend enough time working directly with the PSAPs to become aware of such things, and that Ron Adams had learned about this situation through that type of contact. Chairman Stoneman asked if staff could contact counties which have multiple PSAPs to confirm that this isn't happening elsewhere, and Richard replied we could.

Richard added that this will be problematic for the folks at the City of Lenoir because they went in with Caldwell County to purchase a CAD system and 911 phone system, so they were using their 911 funds to help pay for those systems. Richard said he is not sure what the terms of that contract are, but that it is still ongoing. So the money they budgeted to use to make those payments is now going to be coming back.

Former Board member Belinda Gurkins asked Richard if we were going to reimburse Caldwell County for the portion of those funds that they would have received during the time in question based on population. Richard said he hadn't thought about that, but that it was a great idea. Chairman Stoneman observed that perhaps that money could

offset some of the City of Lenoir's liability for the CAD and phone systems. Richard said he would certainly be happy to include that in his recommendation.

Joe Durham asked what we would do if the City of Lenoir responded to our request by stating that they had spent *x* number of dollars on an eligible expense that had not yet been reported. Chairman Stoneman speculated that it would come up in a response from them to our request. At that time the Board would have to review the information and make a decision. Richard Taylor speculated that if the expense had been incurred while they were still functioning as a Primary PSAP, he would think that would be a legitimate request.

Joe Durham made a motion that the Board accept the staff recommendation and make the request, Bill Craigle seconded, and the motion passed.

Field Reports

a) Richard Taylor spoke about how his commitment to GIS data sharing has strengthened through his membership on the GICC Board. He explained how current 911 GIS applications only map within jurisdictional boundaries because they rely on proprietary, locally collected data. If a wireless call comes in containing a latitude/longitude coordinate that plots outside of the jurisdictional boundaries, the application reports a 'no record found' and telecommunicators have no clue what 911 jurisdiction that point falls within, i.e. where to correctly route the call. It may be in the next county or the next state. Richard has been vocal about this data sharing because every jurisdiction has access to wireless 911 funds that pay for base map data, and since that is public money, he can't understand why the data it pays for isn't public data. If every 911 jurisdiction had access to statewide (and interstate) map data, plotting the point in the example above would provide the telecommunicator with clear information about where to route the call. Richard says that because of this issue he has recently learned much about public records law, and will continue to push for such data sharing.

Richard briefly touched on several of the other points in his report, and then went into more detail about him and his counterparts from other states meeting with the Public Safety and Homeland Security Bureau of the FCC during his attendance at the NENA Critical Issues Forum in DC. That bureau has indicated it would like to host monthly or bi-monthly conference call with all NASNA (National Association of State 9-1-1 Administrators) members to stay on top of issues such as calls placed from uninitialized cell phones. Chairman Stoneman asked Richard to explain that issue, and Richard pointed out that while all mobile phones can call 911, phones that are no longer initialized, or activated through a service plan (post or pre paid), frequently cannot be located. That makes them ripe for abuse. Children can call 911 just to get a kick out of harassing the telecommunicators, or criminals can call in phony bomb threats as diversionary tactics. Not being able to determine the location in either of these scenarios is very problematic, and unfortunately these instances are becoming more and more common.

Richard concluded by mentioning attending the NCAPCO/NENA Chapter meeting in High Point, discussing our upcoming legislative initiative and meeting with the Chapter officers to keep channels of communication open.

b) Ron Adams reported that he had spent a great deal of time in January and February working on the audit with Richard and Marsha. He briefly touched on the classes he has held since the last meeting and those he has scheduled, noting that he has no confirmed class dates after March.

Richard Taylor interjected that ten audit reports are still outstanding, and that of those already submitted, seventy-eight require clarification of some or all of their expenditures. He added that as we process the audits we are categorizing expenditures based upon where they fall within the Statute so that we can see how PSAPs are using their money and where we might be able to encourage them to spend it on other eligible expenses.

Status of Phase I / Phase II Wireless 911 in North Carolina

Ron Adams reported nothing out of the ordinary regarding Phase I deployments, with the possible exception that Sprint CDMA had hoped to have some new sites up and running in several counties by now, but construction delays have prevented them from hitting their target dates. Ron said virtually all new Phase I deployments are due to CMRS infrastructure build out.

Regarding Phase II, Ron said he was happy to report that only eight Primary PSAPs remain that have not requested Phase II service. He noted that Beech Mountain PD had been having difficulty arranging for Phase II call routing, but that thanks to some creative solutions from stakeholders, we expect them to be up and running within a couple of months.

Chairman Stoneman asked for explanation about the Kings Mountain situation, and Ron said that it is a situation where the City receives wireless money but the County receives all the wireline money, so they, too, have to come up with creative solutions to paying for shared resource and wireline costs. That has been stagnant for awhile, but the City has recently begun moving toward purchasing a CAD and GIS application.

Administrative Reports

Marsha Tapler reported on the PSAP distribution numbers for January and February, the year to date distributions, and the fund balance.

Adjourn

Chairman Stoneman asked if anyone had other business to bring before the Board, and hearing none, asked for a motion to adjourn. Joe Durham so moved, Robert Cherry seconded, and the motion carried.